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SUBJECT: CAMBODIA ANTI-TIP NATIONAL TASK FORCE RESTRUCTURING

11. (SBU) Summary: The RGC is seeking NGO comment on a simplified anti-trafficking-in-persons National Task Force structure that will be enacted through a Ministry of Interior subdecree. The subdecree, as drafted, states that the new structure will have its own budget -- a signal of greater RGC support. On March 2 and 3, 2009 the RGC held consultation meetings with NGOs and other stakeholders regarding the proposed new structure, and requested that NGOs vote in vice-chairs for the working groups once the subdecree is signed into effect. The National Task Force has been a purposeful and effective channel for the RGC's enhanced commitment to combat TIP over the past two years, serving as a source of motivation for the RGC's willing anti-TIP actors, as it has the direct support of both the Prime Minister and DPM Sar Kheng. We expect that the new High Level Working Group will share these same important characteristics.

HLWG Gains a Budget

12. (SBU) The Ministry of Interior (MOI) drafted a subdecree announcing the RGC "High Level Working Group to Combat Human Trafficking, Smuggling, Labor and Sexual Commercial Exploitation of Women and Children" or "High Level Working Group" (HLWG) to combine and replace the National Task Force (NTF) and current High Level Working Group structures. Minister of Interior Sar Kheng will chair the group, and Ministry of Interior Secretary of State Ms. Chou Bun Eng will chair its secretariat where the day-to-day activity of the group will take place. The draft subdecree states that the secretariat will be responsible for creating an annual budget plan, coordinating budget resources and implementation of the budget to carry out an RGC national plan of action. The current NTF does not have its own budget, instead relying on the good will of ministers and cooperative staff from the relevant ministries to carry out NTF functions. Much of the current NTF activity is implemented together with the technical assistance of The Asia Foundation through the USAID-funded Counter-TIP (C-TIP) program. The budget included in the draft subdecree may also be a signal that the RGC is cognizant of the need for a long-term, sustainable funding solution. With the budget becoming an RGC budget line item, the new High Level Working Group structure's sustainability becomes more realistic, and the RGC's commitment more tangible.

Ministry of Interior Leadership

13. (SBU) International Organization for Migration (IOM) Anti-TIP Program Officer John McGeoghan told poloff that the draft subdecree's goal to move the NTF/HLWG structure under the MOI, which was previously under the Ministry of Women's Affairs (MOWA), could help to improve the structure's long-term effectiveness. McGeoghan stated that MOWA unfortunately does not have a budget as large as the MOI, and does not have as much clout within the RGC as the MOI. [Note: John McGeoghan previously worked as an advisor within MOWA and has a close relationship with Minister of Women's Affairs Ing Kantha Phavi. End Note.] McGeoghan was an early skeptic of the NTF but he recently told poloff that he believes that without the RGC inter-ministerial task force body, Cambodia will not be able to eliminate TIP. The MOI recently selected an active MOWA staffperson, Chou Bun Eng, to transfer to the MOI to work as a secretary of state in charge of coordinating TIP within the MOI. She is the only female MOI official at the secretary of state level or higher.

## Simplifying the HLWG Structure

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¶4. (SBU) MOI Secretary of State Chou Bun Eng told poloff that the new structure is meant to simplify the RGC focal point for anti-TIP work, and to move the group under the leadership of the MOI instead of under MOWA. The new HLWG structure will integrate the policy coordination aspects of the current NTF and law enforcement implementation abilities of the current HLWG. The result will be a more streamlined government body with simpler lines of reporting to oversee efforts to eliminate TIP. Post understands that the draft subdecree may undergo changes as NGOs and stakeholders continue to comment.

¶5. (SBU) A draft subdecree details an improved HLWG with an inter-ministerial approach to combating TIP involving the MOI; MOWA; Ministry of Justice; Cambodian National Police; Ministry of Tourism; Ministry of Education, Youth, and Sports; Ministry of Social Affairs, Veterans, and Youth; Ministry of Health; Ministry of Economy and Finance; Ministry of Foreign Affairs; National Authority for HIV/AIDS; and other relevant government agencies. The proposed HLWG structure adds the Ministry of Health and the National Authority for HIV/AIDS. The RGC recognized the need for these two government bodies to be included in the anti-TIP structure after early 2008 reports that enforcement of a new Law on the Suppression of Human Trafficking and Sexual Exploitation had resulted in police activity that made it more difficult for health workers to access HIV/AIDS at-risk persons such as prostitutes.

## Six HLWG Working Groups

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¶6. (SBU) The draft subdecree states that the new HLWG will include six sub-level working groups; however, we understand that the sub-level working groups and their terms of reference may change during draft review and comment. The current NTF structure includes four sub-level working groups. A prevention working group will be responsible for: producing education and awareness materials; disseminating anti-TIP information including information on the national law to government officials and to the Cambodian public; coordinating and conducting research; and, creating a work plan and recommending policies based on the above functions. A protection, rehabilitation, reintegration, and repatriation working group will be tasked with: promoting actions to protect, rehabilitate, reintegrate and repatriate TIP, smuggling, and labor and sexual exploitation victims; establishing national minimum standards for victim protection and assistance; updating lists of victim assistance service providers; providing assistance materials to victims; capacity building for service providers; and, monitoring shelters. An "MOU-monitoring" working group will be charged with: coordinating HLWG agencies, other RGC authorities, and NGOs to implement bi- and multilateral memoranda of understanding (MOU); evaluating the results of MOUs; and, recommending ways to more effectively work together with countries with which the RGC has MOUs on anti-TIP issues.

¶7. (SBU) A rescue and raid operation working group will be expected to focus on: researching possible targets of raids; collecting TIP information at border crossings; collaborating with the Cambodian National Police Anti-Human Trafficking and Juvenile Protection Department on investigations; tracking the progress of cases and ensuring victims are referred to the Ministry of Social Affairs, Veterans, and Youth; identifying possible TIP victims; collecting evidence in advance of raids; and, capacity building on rescue and raid techniques. A prosecution working group will be tasked with: monitoring and collecting information for TIP and sexual exploitation cases; strengthening the information provided to prosecutors; improving court officials' capacity to better investigate and prosecute TIP cases; disseminating and providing training on the Law on the Suppression of Human Trafficking and Sexual Exploitation; providing prosecution-related policy recommendations; coordinating communication with legal institutions; providing support to victim assistance service providers; coordinating the prosecution process; and, coordinating with bilateral and multilateral partners to ensure the law is properly enforced. A child protection working group will be: helping to prevent the trafficking and sexual exploitation of children; implementing the UN Convention on Child Rights and other

child-related conventions; cooperating with countries in the region to prevent transnational trafficking of children; monitoring implementation of relevant laws; restricting child pornography and importation of drugs that are abused by youth; working together with tour agencies, hotels, restaurants, and other tourist areas to raise awareness about the Cambodian law and measures to prevent child sex tourism; and, mobilizing community participation to prevent children from being trafficked, rescue those who have been trafficked, and collect evidence to prosecute perpetrators.

#### Institutionalizing Provincial Working Groups

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¶18. (SBU) If signed into effect, the HLWG subdecree will institutionalize Phnom Penh-based and provincial-level working groups in all 23 provinces. Provincial working groups in each of Cambodia's provinces have already been created; however, the provincial working groups had not been mandated through a subdecree. The draft subdecree formalizes that Phnom Penh and all provinces must establish a working group based on the HLWG structure chaired by the governor of the municipality/province. It also states that each provincial working group must create its own work plan.

#### Request for NGO Comment

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¶19. (SBU) On March 2 and 3, the RGC presented the draft subdecree during workshops together with NGOs and other stakeholders. According to World Hope International Cambodia Assessment Center Director Kristin Wiebe, the RGC asked participants to review the draft and provide comment back to the RGC. Also, NGO participants were asked to consult among themselves and to vote on which NGOs should act as co-chairs for the six sub-level working groups of the new HLWG structure. Wiebe stated the consultation process on the subdecree was a step forward for the Cambodian government, which for many years did not consider it important to work together with NGOs but, Wiebe believes, now is beginning to understand the expertise and information it can gain through working collaboratively with NGOs.

#### Comment

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¶10. (SBU) International Justice Mission (IJM) Country Director Patrick Stayton recently echoed IOM Officer John McGeoghan's statement that the RGC would not be able to effectively combat TIP in Cambodia without a coordinated structure such as the HLWG. Post agrees with this assessment. Without a doubt, the work of anti-TIP NGOs has been essential to the successes already achieved in combating TIP in Cambodia. But the problem will never be truly eliminated without the leadership and active participation of the Cambodian government, not just NGOs. While true in any country, it is even more so in Cambodia where endemic corruption has a stranglehold on all government and societal institutions. The HLWG has been the culmination point of the RGC's determined anti-TIP commitment and has channeled that commitment into concrete actions and achievements. The draft subdecree is illustrative of this commitment -- if passed by April 2009, as expected -- will help to improve the effectiveness of the RGC's efforts and further institutionalize and make more sustainable the RGC commitment to combating TIP.

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